IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929

WP(C).No. 38014 of 2007(A)

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PETITIONER:

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M/S. KAILAS BUILDING & CONTRACTORS,
'KAILAS', KARAKONAM P.O.,
TVM. REP. BY ITS PROPRIETOR S. RAJASEKHARAN NAIR

BY ADV. SRI.G.SUDHEER

RESPONDENTS:

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1. PRAMOD, S/O LAKSHMANAN,
'AKHILA BAVAN' K.T. KUNNU P.O.,
KALLARA, TVM.

2. AKHILA. W/O PRAMOD,
'AKHILA BAVAN', K.T. KUNNU.P.O.,
KALLARA, TVM.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**M.N.KRISHNAN, J**

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W.P.(C).38014/2007

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Dated this the 19th day of December, 2007

**JUDGMENT**

This writ petition is filed seeking to give a direction to the District Court, Thiruvananthapuram, to dispose of Ext.P4 and to then direct the Sub Court, Thiruvananthapuram, to take decision on Exts.P2 and P6 and thirdly to pass an order of injunction till a decision is taken on Ext.P6. So far as the request to dispose of Ext.P4, I direct the District Court, Thiruvananthapuram, to dispose of the Transfer Petition 240/2007, if it is ready for hearing within 15 days from the date of re-opening of the Court. Since if there is no stay in the Transfer Petition, I direct the Subordinate Judge Court, Thiruvananthapuram, to take decision on Exts.P2 and P6 applications that also within three weeks from the date of re-opening of the Court. So far as the prayer of injunction is concerned, I decline to grant any direction for the reason that the Court below where the matter is pending has not exercised its discretion to grant an order of

injunction and therefore, this Court sitting in the jurisdiction of Article 227 of the Constitution of India, does not want to interfere with the same.

Writ petition is disposed of accordingly.

**M.N.KRISHNAN,**
**Judge**

mrcs